

3(16)(B)(iii) in the case of a multi-employer plan.

Beginning on page 160, strike line 21 and all that follows through line 14 on page 164, and insert the following:

“(3) EXCLUSION OF EMPLOYERS AND OTHER PLAN SPONSORS.—

“(A) IN GENERAL.—Paragraph (1) does not—

“(i) create any liability on the part of an employer or other plan sponsor (or on the part of an employee of such an employer or sponsor acting within the scope of employment), or

“(ii) apply with respect to a right of recovery, indemnity, or contribution by a person against an employer or other plan sponsor (or such an employee), for damages assessed against the person pursuant to a cause of action to which paragraph (1) applies.

“(B) DEFINITION.—In subparagraph (A), the term “employer” means an employer maintaining the plan involved that is acting, serving, or functioning as a fiduciary, trustee or plan administrator, including—

“(i) an employer described in section 3(16)(B)(i) with respect to a plan maintained by a single employer; and

“(ii) one or more employers or employee organizations described in section 3(16)(B)(iii) in the case of a multi-employer plan.”

## AUTHORITY FOR COMMITTEES TO MEET

### COMMITTEE ON ARMED SERVICES

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Friday, June 22, 2001, at 9:30 a.m., in open session to consider the following nominations: Alberto Jose Mora to be General Counsel of the Department of the Navy; Diane K. Morales to be Deputy Under Secretary of Defense for Logistics and Materiel Readiness; Steven John Morello, Sr. to be General Counsel of the Department of the Army; William A. Navas, Jr. to be Assistant Secretary of the Navy for Manpower and Reserve Affairs; and Michael W. Wynne to be Deputy Under Secretary of Defense for Acquisition and Technology.

The PRESIDING OFFICER. Without objection, it is so ordered.

## PRIVILEGE OF THE FLOOR

Mr. FRIST. Madam President, I ask unanimous consent that an intern in my office, Caroline Smith, be granted floor privileges for the duration of today's debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

## ELEMENTARY AND SECONDARY EDUCATION ACT AUTHORIZATION

On June 14, 2001, the Senate amended and passed H.R. 1, as follows:

*Resolved*, That the bill from the House of Representatives (H.R. 1) entitled “An Act to close the achievement gap with accountability, flexibility, and choice, so that no child is left behind.”, do pass with the following amendment:

Strike out all after the enacting clause and insert:

### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE*.—This Act may be cited as the “Better Education for Students and Teachers Act”.

(b) *TABLE OF CONTENTS*.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. References.

Sec. 3. Elementary and Secondary Education Act of 1965: Short title; purpose; definitions; uniform provisions.

### TITLE I—BETTER RESULTS FOR DISADVANTAGED CHILDREN

Sec. 101. Policy and purpose.

Sec. 102. Authorization of appropriations.

Sec. 103. Reservation and allocation for school improvement.

### PART A—BETTER RESULTS FOR DISADVANTAGED CHILDREN

Sec. 111. State plans.

Sec. 112. Local educational agency plans.

Sec. 113. Eligible school attendance areas.

Sec. 114. Schoolwide programs.

Sec. 115. Targeted assistance schools.

Sec. 116. Pupil safety and family school choice.

Sec. 117. Assessment and local educational agency and school improvement.

Sec. 118. Assistance for school support and improvement.

Sec. 118A. Grants for enhanced assessment instruments.

Sec. 119. Parental involvement.

Sec. 120. Professional development.

Sec. 120A. Participation of children enrolled in private schools.

Sec. 120B. Early childhood education.

Sec. 120C. Limitations on funds.

Sec. 120D. Allocations.

Sec. 120E. School year extension activities.

Sec. 120F. Adequacy of funding of targeted grants to local educational agencies in fiscal years after fiscal year 2001.

### PART B—LITERACY FOR CHILDREN AND FAMILIES

Sec. 121. Reading first.

Sec. 122. Early reading initiative.

### PART C—EDUCATION OF MIGRATORY CHILDREN

Sec. 131. Program purpose.

Sec. 132. State application.

Sec. 133. Comprehensive plan.

Sec. 134. Coordination.

### PART D—INITIATIVES FOR NEGLECTED, DELINQUENT, OR AT RISK YOUTH

Sec. 141. Initiatives for neglected, delinquent, or at risk youth.

### PART E—NATIONAL ASSESSMENT OF TITLE I

Sec. 151. National assessment of title I.

### PART F—21ST CENTURY LEARNING CENTERS; COMPREHENSIVE SCHOOL REFORM; SCHOOL DROPOUT PREVENTION

Sec. 161. 21st century learning centers; comprehensive school reform.

### PART G—EDUCATION FOR HOMELESS CHILDREN AND YOUTH

Sec. 171. Statement of policy.

Sec. 172. Grants for State and local activities.

Sec. 173. Local educational agency grants.

Sec. 174. Secretarial responsibilities.

Sec. 175. Definitions.

Sec. 176. Authorization of appropriations.

Sec. 177. Conforming amendments.

Sec. 178. Local educational agency spending audits.

### TITLE II—TEACHERS

Sec. 201. Teacher quality.

Sec. 202. Teacher mobility.

Sec. 203. Modification of troops-to-teachers program.

Sec. 204. Professional development.

Sec. 205. Close Up Fellowship Program and National Student/Parent Mock Election.

Sec. 206. Rural technology education academies and early childhood educator professional development.

Sec. 207. Teachers and principals.

### TITLE III—MOVING LIMITED ENGLISH PROFICIENT STUDENTS TO ENGLISH FLUENCY

Sec. 301. Bilingual education.

### TITLE IV—SAFE AND DRUG-FREE SCHOOLS AND COMMUNITIES

Sec. 401. Amendment to the Elementary and Secondary Education Act of 1965.

Sec. 402. Gun-free requirements.

Sec. 403. School safety and violence prevention.

Sec. 404. School safety enhancement.

Sec. 405. Amendments to the National Child Protection Act of 1993.

Sec. 406. Environmental tobacco smoke.

Sec. 407. Grants to reduce alcohol abuse.

Sec. 408. Mentoring programs.

Sec. 409. Study concerning the health and learning impacts of dilapidated or environmentally unhealthy public school buildings on America's children and the healthy and high performance schools program.

Sec. 410. Amendment to the Individuals with Disabilities Education Act.

### TITLE V—PUBLIC SCHOOL CHOICE AND FLEXIBILITY

Sec. 501. Public school choice and flexibility.

Sec. 502. Empowering parents.

### TITLE VI—PARENTAL INVOLVEMENT AND ACCOUNTABILITY

Sec. 601. Parental involvement and accountability.

Sec. 602. Guidelines for student privacy.

### TITLE VII—INDIAN, NATIVE HAWAIIAN, AND ALASKA NATIVE EDUCATION

Sec. 701. Programs.

Sec. 702. Conforming amendments.

### TITLE VIII—IMPACT AID

Sec. 801. Eligibility under section 8003 for certain heavily impacted local educational agencies.

### TITLE IX—REPEALS

Sec. 901. Repeals.

### TITLE X—MISCELLANEOUS PROVISIONS

Sec. 1001. Independent evaluation.

Sec. 1002. Helping children succeed by fully funding the Individuals with Disabilities Education Act (IDEA).

Sec. 1003. Sense of the Senate; authorization of appropriations for title II of the Elementary and Secondary Education Act of 1965.

Sec. 1004. Sense of the Senate regarding education opportunity tax relief.

Sec. 1005. Sense of the Senate regarding tax relief for elementary and secondary educators.

Sec. 1006. Sense of the Senate; authorization of appropriations for title III of the Elementary and Secondary Education Act of 1965.

Sec. 1007. Grants for the teaching of traditional American history as a separate subject.

Sec. 1008. Study and information.

Sec. 1009. Sense of the Senate regarding transmittal of S. 27 to House of Representatives.

Sec. 1010. Sense of the Senate; authorization of appropriations for title I of the Elementary and Secondary Education Act of 1965.

Sec. 1011. Excellence in economic education.

Sec. 1012. Loan forgiveness for Head Start teachers.

Sec. 1013. Sense of the Senate regarding the benefits of music and arts education.

Sec. 1014. Sense of the Senate concerning postal rates for educational materials.